

## Resolution # 3-12-13

A plan for restoration, cleaning, and preparation for title settlement, within the boundaries of the Township of Atrisco Land Grant-Merced, thereby allowing for a long term development plan to be implemented for the Township of Atrisco Land Grant-Merced.

Be it therefore resolved by this governing body of the Township of Atrisco Grant-Merced, New Mexico as follows:

### SECTION 1. TITLE

This plan shall be known as the "Comprehensive Plan of the Town of Atrisco, New Mexico phase 1 and shall be referred to herein as "Phase 1". This resolution establishes a set of baseline goals that can then be applied to finding a way(s) that will address the existing problems detrimental to the health and **well-being** of the people that now populate the lands known as the Township of Atrisco Land Grant-Merced, our neighbors, and the state of New Mexico.

### SECTION 2. PURPOSE

Phase 1 is designed to establish a plan to make streets and public ways, where none exist within the boundaries, and to find ways to enhance and assist other comprehensive plans that now exist. Phase 1 will not address existing streets and public ways except to try to assist Bernalillo County, the City of Albuquerque, and the State of New Mexico in their efforts to improve and maintain said streets. Phase 1 is designed to secure safety from fire, flood, and other dangers, to promote the general welfare of the community; to protect and preserve water and other resources; to facilitate adequate provisions for transportation, schools, business, sewerage, water, parks, and other needs of a thriving community; to conserve the value of all property in the boundaries of Atrisco; to encourage proper use of said property.

### SECTION 3. APPLICABILITY

The provisions of Phase 1 are held to be the minimum requirements to carry out the purpose of Phase 1 and are not intended to interfere with any existing law, covenant, or ordinance. Whenever provisions of this plan are in direct conflict with existing law, or ordinance, that provision will be re-evaluated, in light of existing law. Ordinances or covenants will be evaluated on the best interest of the community within the boundaries of The Township of Atrisco Grant-Merced.

### SECTION 4. DEFINITIONS

A. Word Forms. Words used in the present tense include the future tense, and words used in the future tense include the present tense. The singular number includes the plural number the plural number includes the singular number. The words "shall" and "must" are mandatory, and the word "may" is permissive.

B. Definitions. For the purposes', of Phase 1, Standard dictionary definitions are used except for certain words or phrases used herein which shall be defined, within the text that such words or

phrases, are used.

## SECTION 5. PHASE 1 CONCERNS

A. Land Recovery

**B. Administration**

C. Pajarito Mesa clean-up.

D. Streets and Public Ways and Utilities

F. Open Area Preservation

G. Integration with existing entities

H. Historical Preservation

I. Economic Development

### SECTION 5A. LAND RECOVERY

Summary of Intentions.

That this governments' intentions not be misinterpreted, a detailed explanation of methodology and plans for such lands as may recovered, by process of purchase, contract management, legal process, or such acquisition modems as **outlined** by the procurement code of the State of New Mexico, is herein made available to all persons that have or may have interest in the goals of this plan. The Atrisco Land Grant-Merced government has no intention of infringing upon existing governance, ownership of land or business, or regulation of lawful development of real-estate, or other assets within the boundaries of the Atrisco Land Grant, as out lined by the District Court in 1894, Albuquerque vs. Atrisco. This government will exercise due diligence, as called for in existing statutes, and all changes to such laws so long as compliance with these laws does not violate the Constitution, nor Treaty provisions included in The Treaty of Guadalupe Hidalgo, of 1848. On the contrary, this government will be looking for ways to encourage such development, and will be looking to find ways to bring necessary services and roads to allow such economic and residential development in these areas that currently have very few, to none in the way of services and access.

This government will use the powers vested in the Constitution and **Section 49-1-1 to 49-1-18 NMSA -1978 Annotated** as well as other relevant statutes, of the state of New Mexico, to operate in a manner most beneficial to all heirs and citizens of the Township of Atrisco Land Grant- Merced, Bernalillo County, and the state of New Mexico. This government will preserve the historical value of Atrisco by pursuing all legal means to **ensure** that lands, buildings, artifacts, records, and other sites (cemeteries, churches, abandoned towns etc.) are preserved for future generations.

This government will pursue a plan of economic development based on localized business **and resources** utilizing locally generated service and production type businesses with internet, entertainment, and larger anchor businesses such as Applebee's and JC Penney's, to allow for a smaller carbon footprint, by reducing the number of miles our residents have to travel to obtain the necessary services, goods and jobs needed to make a viable and safe community. This government will try to re-purchase as much of the common lands as possible. All such land will be used to maintain a historical connection, to the land, in a manner most appropriate and beneficial to all the people and businesses within the boundaries of the Township of Atrisco Land Grant-Merced.

Land recovery, definition;

Land recovery, for this government, means beginning a process whereby we will use our Land Patent, as issued by Congress in 1905, to settle title issues of current owners of real estate, thereby assuring future transactions result in perfect abstract title, and eliminate any color on current titles. Refer Land Patent Law regards Land Patents issued through country to country treaty. The intention is to assure current ownership that their title is good and without color.

Land recovery, for this government means buying back any of our traditional lands that may become available, assuming monies are available or may become available any time in the future. Some common lands may be obtained by donation, trust, or other ways that are legal and no way harmful to any individual or group of individuals.

Land recovery, for this government, means assuring that all historical and traditional places are preserved and benefits of such places are made available to heirs and all other citizens and visitors, now and in the future. New Mexico statutes make available legal and, as well, advisory and guidance services this government will use to accomplish this goal.

## SECTION 5B. ADMINISTRATION

Political Sub-Division Board of Trustees-----Traditional Board of Trustees

Chief Administrative Officer

Division Managers

Staff

## SECTION 5C. PAJARITO MESA CLEAN- UP

The land on the West Mesa constitutes more than half of the area that makes up the Township of Atrisco Land Grant Merced. After a preliminary inspection of records, maps, and a tour of the land, this government has found a profound situation that threatens the **well-being** of the people that live in this area. Land titles are clouded there are no easements for any kind of services or roads. Emergency services are **hit-and-miss** since no method of locating a home is available for police, fire, or rescue personnel in this area.

To date, this government is **pursuing** partnerships with Bernalillo County, Acequia Associations, our Congressional Delegation, and neighborhood associations. This government will also request planning and other monies from the state legislature, as needed to formulate and implement a plan that will address the many needs of this blighted and neglected area of our beautiful valley.

## SECTION 5D. UTILITIES

Utilities and utility type easements in this area are nonexistent. **Development** appears to be in 10 acre plots with no defined access to about 90% of the land plots sold. The **County** of Bernalillo is making some effort south of our border, but appears to have no plan except to close access roads from the I-40 side of the mesa. This government has available USDA grants and loans for putting in rural utilities, and intends to work all avenues available that we may address this festering problem.

## SECTION 5E. STREETS and PUBLIC WAYS

This is an area of great concern, access for emergency services, exists only in a primitive manner. We will request that better plans are implemented regarding closing the few access roads that now exist. Public safety is the first concern, for this government. Our goals in this area are driven by this view.

## SECTION 5F. OPEN AREA PRESERVATION

This government will try to integrate open area preservation views in the best interest of all persons and entities, our neighbors, and the State of New Mexico. This goal will be accomplished through public input, negotiation, and all legal means that are possible.

## SECTION 5G. INTEGRATION WITH EXISTING ENTITIES

This government will try to develop the best relations with all the people within our boundaries; we will try to encourage business development, while keeping the rural and historical nature of our community. We will work with all government entities to better the place where our first concern, people, live.

## SECTION 5H. HISTORICAL PRESERVATION

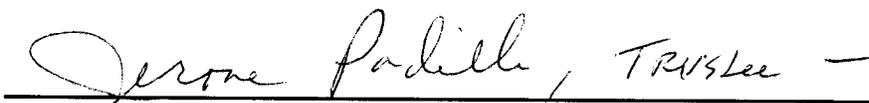
This government will do all possible to preserve all historical sites, customs, traditions, and other historical artifacts, known or undiscovered.

## SECTION 5I. ECONOMIC DEVELOPMENT

This government will work to assist projects and ideas that will grow our economic base, consistent with our goals of maintaining the rural nature of our community. That we (Atrisco) may accomplish this a Five Point Accounting system will be implemented to account for monies expended to support these operations.

## SECTION 6A PLANNING BOARD

This government will appoint a Board of Planners to review and implement such matters as come before them. Any plans, projects, changes, or other laws, ordinances, or proposed projects, or construction by anyone, within the Townships' patented boundaries, will be reviewed by this Board and recommendations made to The Board of Trustees of The Township of Atrisco Land Grant (Merced) This Board will consist of five (5) members to be appointed by the Grants' (Atrisco) President, from nominations from the Board of Trustees, for a term of three (3) years. The Planning board will review, approve or reject any land use or real estate development plans within the Patented Boundaries and present such recommendations to the Town of Atrisco Board of Trustees for final approval.

  
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**Jerome Padilla, President** February 26, 2015  
**Township of Atrisco Land Grant (Merced), Board of Trustee** **Date**

  
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**Theresa Gonzales, Secretary** February 26, 2015  
**Township of Atrisco Land Grant (Merced), Board of Trustee** **Date**